UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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ART UNIT	PAPER NUMBER
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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 July 2008_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _51_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _51_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   The amendment submitted on 07/31/2008 has been acknowledged. Claim 51 is

pending.

Response to Arguments

2.   Applicant's arguments filed on 07/31/2008 have been fully considered but they

are not persuasive.

(1) argument 1:

Applicant argues that "the classification program contains not only document

attributes such as those in Rourke, but also printer controls to select and direct

the printing of the document."

With respect to applicant's argument, Rourke teaches **the job including**

black/white, full process color and accent color portions are delivered or

sent to the appropriate type of printer as discussed in column 12, line 62-

column 13, line 10. Thus, Rourke selects and delivers the printing of the

document with the appropriate printer. Thus, the stated argument is disclosed by

Rourke.

(2) argument 2:

Applicant argues that Rourke does not disclose "a queue for a specific print".

With respect to applicant's argument, Rourke teaches **different types of queues with respect to the print jobs (column 8, line 65-column 9, line 7)**. It is noted in the arguments on page 7, column 2, that the specific printer is such as one containing letterhead. But such argument is not based on the original claim language. Thus, the stated argument is not persuasive.

(3) argument 3:

Applicant argues that "Rourke and Patton are not properly combinable"

With respect to applicant's argument, the combination of Rourke and Patton is proper because they are from the same field of endeavor i.e. static processing of data for printers. It is also obvious to one of ordinary skilled in the art that both references disclose the same subject matter based plurality of printers. Thus, the suggestion/motivation for doing so would have been to easily manage and organize the system and to have a reliable system which permits job interruption when priority is desired without manually finishing the interrupted job (column 2, lines 23-25).

(4) argument 4:

Applicant argues that "Patton cannot sequence multiple urgent jobs."

With respect to applicant's argument, Patton teaches **prioritizing in accordance with a set of prioritizing rules and spools the print jobs in a print queue in the order of intended printing i.e. considered as sequencing column 3, lines 36-38**. Thus, the stated argument is disclosed by Patton.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rourke et al. (US Patent Number 5,995,721) in view of Patton (US Patent Number 7,265,855 B2).

(1) regarding claim 51:

As shown in figure 1, Rourke et al. disclose a method for printing a document using a computer connected to a plurality of printers (**25, 12-1, 12-N, figure 1; column 6, lines 45-47, lines 60-64; note that the server computer and the plurality of printers are connected**) comprising:

sending the plurality of documents in the print queue to a classification program

(**column 7, lines 47-55; note that the job ticket is a classification program to**

categorize print jobs);

using the classification program (**35, figure 3; column 7, lines 20-31; note that**

the job ticket is considered as the classification program since it has information

about the each print document), *processing the print queue by* separating each of the

plurality of documents into a plurality of document pages each having a document page

hidden in the page (**column 9, lines 24-30; note that more or more job portions of a**

job among one or more queues based on the attributes of the job is discloses.

Also, the attribute information is associated with an information embedded in an

electronic document i.e. considered as the hidden document), analyzing a

document page data in each of the plurality of document pages to determine a required

printer type (**column 9, lines 27-34; note that the attributes of the document type**

gets analyzed based on the embedded information associated with the

document), the plurality of document pages being from one of the plurality of

documents (**figure 7; column 9, lines 9-19; note that there are plurality of jobs**

listed as BWP1-N, FCP1-N and ACS1-N which represent the plurality of document

also refer in column 10, lines 10-18), separating each of the plurality of document

pages into a plurality of print jobs based on the required printer type for each document

page (**column 8, line 65-column 9, line 4; note that the documents get queued or**

organized to the appropriate printer type), and sending each of the plurality of

document pages to a type of printer based upon the document page data of each page

(**column 12, line 62-column 13, line 6; note that job gets sent to the appropriate printer type based on who it is organized in the queue**), wherein the required printer types comprise: a specific printer, a color printer and a black/white printer (**column 6, lines 45-54; note that the printer comprise different types i.e. full process color**);

responsive to each of the plurality of document pages being printed by an appropriate printer (**figure 12, column 13, lines 5-10; note that the appropriate printer i.e. document processing units 1-N prints the document**), reassembling the document (**column 12, lines 6-10; note that the after the printing the black/white and accent black/white prints with one color the print jobs get delivered to the job integrator in the form of a stream i.e. considered as reassembling the document**).

Rourke et al. disclose all of the subject matter as described as above except for specifically teaching receiving a plurality of documents in a print queue, wherein each document is placed at the end of the print queue when it is received; using a prioritization program, analyzing the plurality of documents in the print queue and prioritizing the plurality of documents in accordance with a user assigned priority stored in a data hidden in each document; wherein the user assigned priority may be a high priority, a medium priority, or a low priority; adding an interrupt instruction to each document having the high priority; ordering the plurality of documents in the print queue, wherein each document having the high priority is moved to the front of the print queue, followed by each document having the medium priority, and then followed by each document having the low priority, wherein the earliest document having the high priority is first in the print queue and the newest document having the low priority is last in the

print queue, and wherein all documents of like priority are placed in the print queue in

the order they were received; responsive to a determination by the prioritization

program that one of the plurality of documents is an earliest high priority document,

sending the earliest high priority document to the classification program and instructing

the classification program to suspend the processing of a currently printing document by

the classification program until the processing of the earliest high priority document has

been completed, and then resume printing the currently printing document, and when

the currently printing document is a high priority document, to finish printing the

currently printing document and then print the earliest high priority document.

However, Patton teaches receiving a plurality of documents in a print queue

(**column 3, lines36-36; note that print jobs are received and spooled in the print**

queue), wherein each document is placed at the end of the print queue when it is

received (**column 3, lines 56-59; note that the received print jobs are ordered in**

FIFO in the print queue); using a prioritization program, analyzing the plurality of

documents in the print queue (**column 3, lines 38-45; note that the print queue is**

analyzed in accordance with the print jobs) and prioritizing the plurality of documents

in accordance with a user assigned priority stored in a data hidden in each document

(**70, figure 2; column 2, line 66-column 3, line 6; note that user could be able to**

assign priority level and the hidden data in the document is considered as the

priority data printing value 70); wherein the user assigned priority may be a high

priority, a medium priority, or a low priority (**column 3, lines 63-66; note that the print**

control system allows user to assign a priority rank upon requesting for printing);

adding an interrupt instruction to each document having the high priority (**column 5,**

lines 1-6; note that when a priority checker determines that priority flag is set, the

print control system interrupts the current job to process the job with priority);

ordering the plurality of documents in the print queue (**column 4, lines 4-5; note that**

the print control system reorders the print queue based on the print job), wherein

each document having the high priority is moved to the front of the print queue (**column**

4, lines 27-31; note that the print job manager prioritizes the print jobs with high

priority in the print queue), followed by each document having the medium priority

(**column 4, lines 63-67; note that the when the priority or urgent print job is not**

set, the next job gets processed), and then followed by each document having the

low priority (**column 5, lines 28-30; note that print jobs with low priority are also in**

the print queue), wherein the earliest document having the high priority is first in the

print queue (**column 4, lines 27-31; note that the print job manager prioritizes the**

print jobs with high priority in the print queue), and the newest document having the

low priority is last in the print queue (**column 3, line 66-column 4, line 1; note that**

lower priority jobs are processed last after processing the high priority ones), and

wherein all documents of like priority are placed in the print queue in the order they

were received (**column 3, lines 36-38; note that the print control system prioritizes**

the print jobs in accordance with the set of prioritizing rules and spools the print

job in queue); responsive to a determination by the prioritization program that one of

the plurality of documents is an earliest high priority document (**column 4, lines 27-30;**

note that the print job manager prioritizes the jobs in accordance with the priority

rules and creates job identifier), sending the earliest high priority document to the

classification program and instructing the classification program to suspend the

processing of a currently printing document by the classification program until the

processing of the earliest high priority document has been completed (**column 5, lines**

1-8; note that when the priority flag is set the job that is being printed gets

interrupted and the rest of the portion gets saved), and then resume printing the

currently printing document (**column 5, lines 12-25; note that the portion of the**

interrupted print job gets resumed back to be printed after checking that there is

no other priority document), and when the currently printing document is a high

priority document (**column 4, lines 43-46; note that it is determined from the job**

description that the job has higher priority), to finish printing the currently printing

document and then print the earliest high priority document (**column 4, lines 47-52;**

note that when job N is received by the printing control system, the print queue

gets updated in position for printing after the current pint job is printed).

Rourke et al. and Patton are combinable because they are from the same field of

endeavor i.e. net work printing and processing of data. At the time of the invention, it

would have been obvious to a person of ordinary skilled in the art to receiving a plurality

of documents in a print queue, wherein each document is placed at the end of the print

queue when it is received; using a prioritization program, analyzing the plurality of

documents in the print queue and prioritizing the plurality of documents in accordance

with a user assigned priority stored in a data hidden in each document; wherein the user

assigned priority may be a high priority, a medium priority, or a low priority; adding an

interrupt instruction to each document having the high priority; ordering the plurality of

documents in the print queue, wherein each document having the high priority is moved

to the front of the print queue, followed by each document having the medium priority,

and then followed by each document having the low priority, wherein the earliest

document having the high priority is first in the print queue and the newest document

having the low priority is last in the print queue, and wherein all documents of like

priority are placed in the print queue in the order they were received; responsive to a

determination by the prioritization program that one of the plurality of documents is an

earliest high priority document, sending the earliest high priority document to the

classification program and instructing the classification program to suspend the

processing of a currently printing document by the classification program until the

processing of the earliest high priority document has been completed, and then resume

printing the currently printing document, and when the currently printing document is a

high priority document, to finish printing the currently printing document and then print

the earliest high priority document. The suggestion/motivation for doing so would have

been to easily manage and organize the system and to have a reliable system which

permits job interruption when priority is desired without manually finishing the

interrupted job (column 2, lines 23-25). Therefore, it would have been obvious to

combine Rourke et al. with Patton to obtain the invention as specified in claim 51.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Shima (US Patent Number 6,333,789 B1) discloses printing system, method and apparatus for processing a plurality of types of information different in priority.

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7.   Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about PAIR system, see http://pari-direct.uspto.gov. Should you have

questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/
Examiner, Art Unit 2625
November 19, 2008

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625